

DELEGATED REPORT

Report by Jane Langan	Date of report: 14/09/2022	Ref: 68644/FUL
Registration: 06/07/2022	LDFC: 31/08/2022	Expiry Date: 31/08/2022
Site Visit: 24/08/2022	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: Two storey extension at front and single storey extension at rear with covered outdoor area

Location: 37 Hillingdon Road, Whitefield, Manchester, M45 7GG

Description

The property is a two storey detached house. The front garden is fully surfaced for parking. To the rear the house is extended across part with a conservatory. No.39 to the south side is at a lower level and deeper at the rear with two storey glazed bay windows. To the opposite side No.35 is extended first floor at the side and the rear elevation has patio doors to the site side. Fencing screens the gardens. The site garden tapers down to the rear bordering the gardens to 2 Wentworth Ave and 11 Hawkstone Ave.

The application includes a two storey front extension. One section would be 1.1m deep and 2.9m across and one at 1.5m deep and 2.9m across. They would form a lounge and bedroom extension with a porch and ensuite above the deeper section. To the rear a single storey living room extension to the north side of the rear elevation would project 4.8m deep for 5m across. The remainder of the rear elevation would then form a covered outdoor dining area. The plans also note two obscure glazed slim windows to be added to the existing north side elevation.

Relevant Planning History

48364 - Single storey extension and conservatory at rear; pitched roof at rear - AC 2/08/2007.

Publicity

Surrounding neighbours were notified by letter and no responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning

considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual amenity and design - The two storey front extension would not project excessively and form a front gable design. To the rear the single storey would be flat roofed with a lantern light and the covered area would have a pergola roof. Materials would be a mix of matching brick and grey render. The front extension would have roof tiles to match.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Parking - The proposal would not increase the number of bedrooms therefore SPD 11 Parking Standards need not be considered. Parking would be as existing to the front drive where, following the front extension, there would still be a drive length in excess of 5m remaining with the whole front garden hard surfaced as existing.

Residential amenity - The proposed two storey extension to the front would be a shallow projection and would not be located in close proximity to either of the neighbouring properties to the side for it to have a significant impact.

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The single storey rear would be to the side to No.35 and set in from the boundary to the same level as the existing house is set in. The proposed extension would project approximately 4m from the rear elevation of No.35 and would not encroach the 45 degree line from the closest window at the rear. A 4m depth is also generally permitted development for a detached house and there is fencing that screens. There would be one window to the extension to this side which would be high level noted to be 1.7m from finished floor level to cill. The existing side elevation to the site to this side would have two slim windows noted to be obscure glazed.

To the opposite side to No.39 would be the covered outdoor area which would not be to a raised level. The fencing to this side between the site and No.39 is low level and the covered area would not cause any significant change in privacy levels to the situation as existing.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered plans received 06/07/22 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JL	14/09/22		